

REMARKS

Entry of the foregoing, reexamination and reconsideration of the application identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.116 and in light of the remarks which follow, are respectfully requested.

At the outset, Applicants thank Examiner Shosho for her time and consideration in participating in an Interview with Applicants' representative on June 26, 2003. The Interview Summary accurately reflects the substance of the Interview. During the Interview, the Examiner agreed that amending claims 1 and 9 to delete the phrase "wherein glycerol is contained in an amount of not less than 2 weight %" and to delete the formula (IV) compound, would be effective to overcome the rejections of record. Also, the Examiner agreed to enter such amendments at this stage of prosecution (See Interview Summary).

By the above amendments, claims 1 and 9 have been amended for clarification by deleting the phrase "wherein glycerol is contained in an amount of not less than 2 weight %." In addition, claims 1 and 9 have been amended by deleting the formula (IV) compound therefrom. Entry of the above amendments is proper at least because they place the application in condition for allowance or in better form for appeal. See M.P.E.P. §714.12.

In the Official Action, claims 1, 5, 9, 10, 13 and 14 stand rejected under 35 U.S.C. §112, first paragraph, for the reasons set forth at page 2 the Official Action. Specifically, the Patent Office has taken the position that the application as originally filed does not contain support for the feature "wherein glycerol is contained in an amount of not less than 2 weight %." Without addressing the propriety of this rejection, and in an effort to expedite prosecution, claims 1 and

9 have been amended to delete such feature, thereby obviating the present rejection. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 1, 5, 9, 10, 13 and 14 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 5,973,025 (*Nigam et al*) in view of U.S. Patent No. 5,958,999 (*Bates et al*), U.S. Patent No. 5,665,140 (*Schwarz*) and either Japanese Patent Document No. 03-231975 (*JP '975*) or Japanese Patent Document No. 09-059552 (*JP '552*). Claims 1, 5, 9, 10, 13 and 14 stand rejected under 35 U.S.C. §103(a) as being obvious over *Bates et al* in view of *Nigam et al*, *Schwarz* and either *JP '975* or *JP '552*. These rejections should be withdrawn for at least the following reasons.

As discussed during the Interview, *JP '975* and *JP '552*, which have been relied on by the Patent Office for disclosing the formula (IV) dye formerly recited in the claims, do not disclose or suggest an azomethine dye of the formula (III) or an azo dye of the formula (V) or (VI) or mixtures thereof, as now recited in claims 1 and 9. As discussed above, the Examiner has agreed that amending claims 1 and 9 to delete the formula (IV) dye would be effective to overcome the above prior art rejections. Such amendments have been made as set forth above. Accordingly, withdrawal of the above §103(a) rejections is respectfully requested.

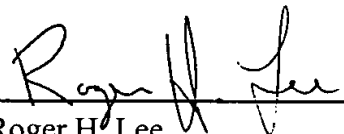
From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited.

Application No. 09/409,338
Attorney's Docket No. 030662-047

If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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